

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

BRIDGET M. O'SHEA

Case No. 2007-03595-AD

Plaintiff

Deputy Clerk Daniel R. Borchert

v.

ENTRY OF DISMISSAL

OHIO DEPARTMENT OF
TRANSPORTATION

Defendant

{¶1} On June 22, 2007, defendant filed a motion to dismiss, stating this claim was paid by Shelly & Sands, Inc. On June 5, 2007, check nos. 1660209431 and 1660209995 in the total amount of \$988.08, were sent to plaintiff as a full and final release of the claim against defendant. Plaintiff has not responded to defendant's motion to dismiss. R.C. 2743.02(D) in pertinent part states: "Recoveries against the state shall be reduced by the aggregate of insurance proceeds, disability award, or other collateral recovery received by the claimant." Upon review, the court finds that the money received by plaintiff is a recovery from a collateral source. Accordingly, defendant's motion is GRANTED and plaintiff's case is DISMISSED. The court shall absorb the court costs for this claim in excess of the filing fee.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

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Thomas P. Pannett
Assistant Legal Counsel
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1980 West Broad Street

Case No. 2007-03595-AD	- 2 -	ENTRY
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Columbus, Ohio 43223

DRB/laa
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